

WILLIAM K. HARRINGTON
United States Trustee for Region 2
U.S. Federal Office Building
201 Varick Street, Suite 1006
New York, New York 10014
Telephone: (212) 510-0500
By: Greg M. Zipes, Trial Attorney

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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Case No. 21-22108 (RDD)

In re

(Chapter 11)

96 WYTHE ACQUISITION LLC,

Debtor.

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DECLARATION OF GREG M. ZIPES

TO: THE HONORABLE ROBERT D. DRAIN,
UNITED STATES BANKRUPTCY JUDGE:

Pursuant to 28 U.S.C. § 1746, Madeleine Vescovacci declares as follows:

1. I am an attorney in the Office of the United States Trustee for Region 2 (the “United States Trustee”). I am assigned to this matter by my office and as such, I have knowledge and information about this Chapter 11 bankruptcy case. I submit this Declaration in support of the motion of the United States Trustee for an order directing the appointment of a Chapter 11 trustee.

2. A copy of the report of the examiner Eric M. Huebscher dated February 28, 2022 (Dkt. No. 418) (without exhibits) is attached as Exhibit A.

3. A copy of the counter-report of the Debtor dated February 28, 2022 (Dkt. No. 420) is attached as Exhibit B.

4. The Objection of the City of New York to the Confirmation of Debtor’s Second Amended Chapter 11 Plan, filed on February 15, 2022 (Dkt. No. 391), is attached as Exhibit C.

I declare under penalty of perjury that the information contained in this Declaration is true
and correct.

Dated: New York, New York
March 30, 2022

By: /s/ Greg M. Zipes
Greg M. Zipes